



N Sector #

PATENTS  
Atty. Docket No. 42252-1009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit:	2681
Timothy D. FORRESTER	)		
	)	Examiner:	To be assigned
Serial No.: 09/902,035	)		
	)		
Filed: July 12, 2001	)		
	)		
For: SYSTEM AND METHOD FOR	)		
RECEIVING AND TRANSMITTING	)		
INFORMATION IN A MULTIPATH	)		
ENVIRONMENT	)		

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER And**  
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371, mailed August 24, 2001, enclosed please find the following. Items 1-3 are in response to the Notice to File Missing Parts of Application:

1. Return copy of the Notification of Missing Requirements under 35 U.S.C. 371, mailed August 24, 2001;
2. Check in the amount of \$170.00 to cover the surcharge for late filing of the declaration, filing fee and Assignment Recordation fee;
3. Combined Declaration and Power of Attorney executed by the inventor;

---

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Mail Service as First Class Mail on the date shown below with sufficient postage in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: October 9, 2001

Signature:

  
Jarnie M. Ord

583022v1

4. Assignment;
5. Recordation Form Cover Sheet; and
6. Fee Transmittal Form.

Although it is believed no additional fee is due for this filing, in the event that the Examiner determines an additional fee is due, the Commissioner is authorized to charge any deficiency, or credit any overpayment, to our deposit account, No. 02-0410 in the name of Baker & McKenzie. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mitchell P. Brook", is written over a horizontal line.

Mitchell P. Brook

Attorney for Applicant

Reg. No. 32,967

c/o BAKER & McKENZIE

101 West Broadway, 12th Floor

San Diego, California 92101

(619) 236-1441



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$)

170.00

## Complete if Known

Application Number	09/902,035
Filing Date	July 10, 2001
First Named Inventor	FORRESTER, Timothy D.
Examiner Name	to be assigned
Group Art Unit	2681
Attorney Docket No.	42252-1009

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

02-0410

Deposit  
Account  
Name

BAKER & MCKENZIE

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$)

0

### 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	= 0
Independent Claims	-3** =	X	= 0
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

0

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

170.00

## SUBMITTED BY

Name (Print/Type) **Mitchell P. Brook**  
Signature *Mitchell P. Brook*

Registration No.  
(Attorney/Agent) **32,967**

## Complete (if applicable)

Telephone **(619) 236-1441**

Date **10/8/01**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/902,035	07/10/2001	Timothy D. Forrester	42252-1009

CONFIRMATION NO. 7784

## FORMALITIES LETTER



\*OC000000006468598\*

Mitchell P. Brook  
Baker & McKenzie  
Twelfth Floor  
101 Broadway  
San Diego, CA 92101

Date Mailed: 08/24/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/15/2001 SDENBOB1 00000102 09902035

01 FC:105

130.00 OP